

Marshall Code Project

Planning Commission Work Session February 16, 2017



THE MARSHALL PLAN

The Marshall Plan

Marshall Service District Plan



Marshall Service District Plan



*Fauquier County Planning Commission
Recommended Approval on October 28, 2010*

*Fauquier County Board of Supervisors
Adopted on January 13, 2011
Amended April 9, 2015*






The Marshall Plan

C. Update the Zoning Code

Ever since the last revision of the Marshall Service District Plan in 2003, there has been discussion in Marshall about updating the Zoning Code to reflect the Service District Plan vision.

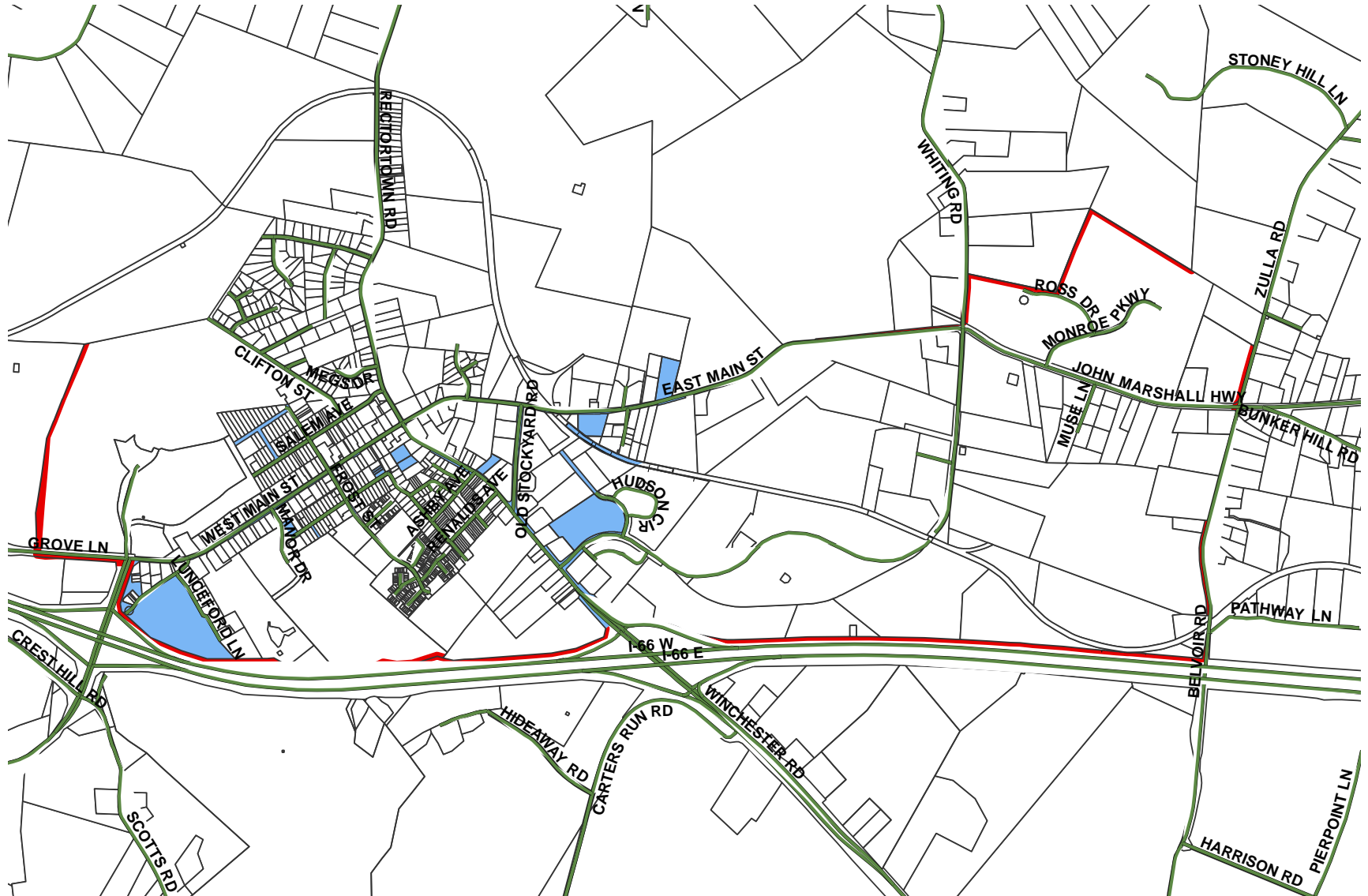
The following Zoning Ordinance amendments are advocated in this Plan:

-  • The creation of a local historic district overlay zone to assist in the preservation of historic structures within the National Register Historic District, should be implemented as soon as possible, along the lines laid out in Section V (page 20) of this Plan. As an initial step, a task force, appointed by the Board of Supervisors and chaired by a member of the Fauquier Heritage and Preservation Society, should be designated to recommend proposed regulations and work with property owners within the Historic District.
-  • The creation of a highway corridor overlay district will assist in ensuring that the major road corridors into the historic district complement, rather than undermine the historic district. The initial step should be to explore regulations to cover design, siting, landscaping and signage.
-  • Work commenced in 2004 on a Form-Based Code approach to the Main Street corridor that would codify many of the ideas set forth in this Plan. The Form-Based Code initiative (although with some retained elements of traditional zoning including use regulations) for the Main Street and Salem Avenue corridors should now be completed and implemented, with the appropriate public process necessary for any rezoning.

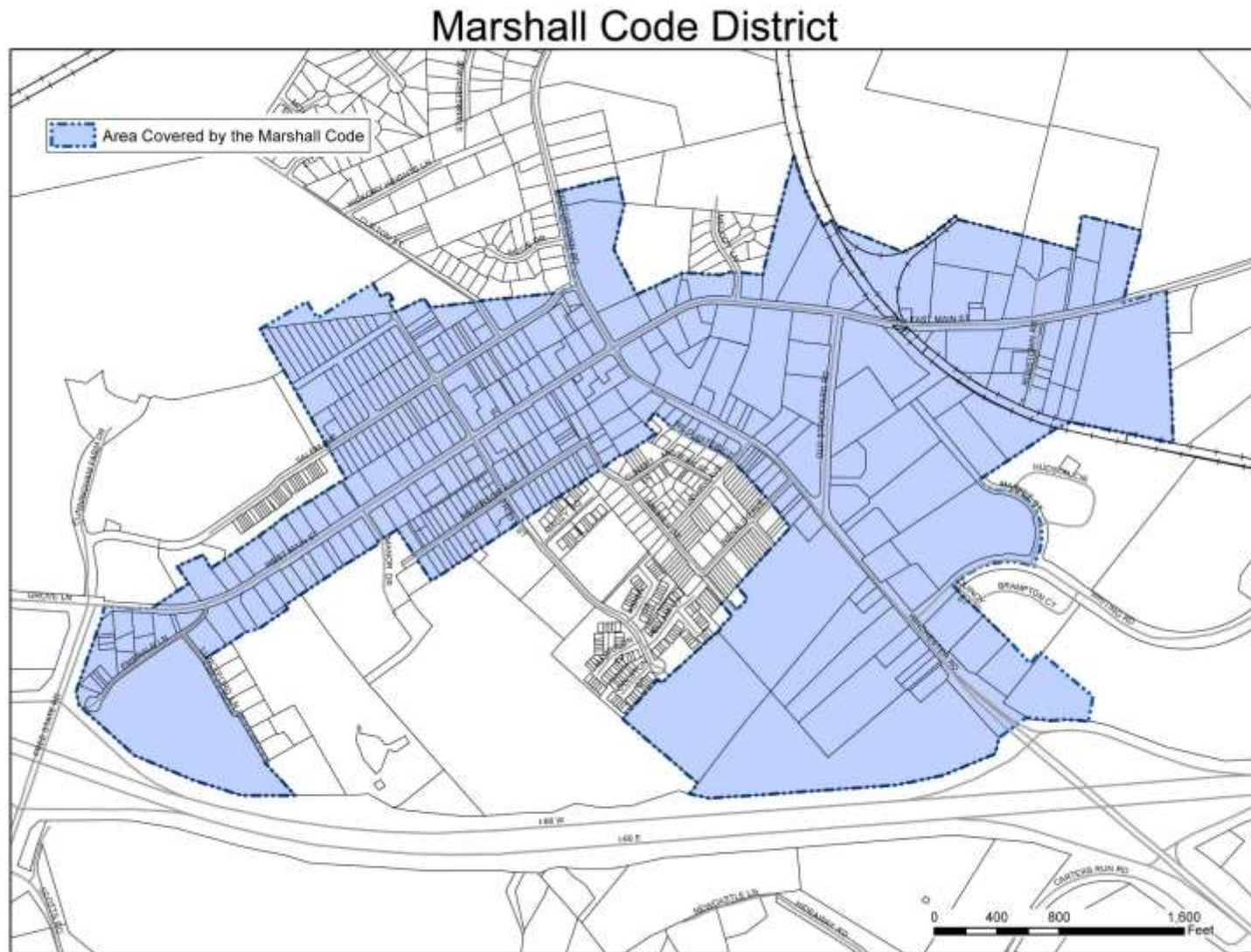
The Marshall Plan

- A new mixed-use zoning district is proposed for the Southern Gateway. Details are contained in the Southern Gateway section.
- The existing by-right zoning for various residential neighborhoods (see Figures MA-3 and MA-9) will need to be addressed. Certain concepts of building mass and site layout should be addressed through rules relating to setbacks, building height and the like. The introduction of certain TND design elements into the by-right zoning will provide at least some assurance of more traditional neighborhood layouts even where property owners elect the by-right zoning over PRD.
- It is appropriate to review the current industrial zoning categories (light industrial and heavy industrial) in order to determine whether a better approach would be to have one zoning category for all of the industrial land in Marshall that includes the most appropriate attributes of both existing categories, and deletes the less appropriate attributes of each category as well. Marshall's industrial zoning should underscore the advantage of rail spur proximity, but at the same time, limit or eliminate uses that are likely to overwhelm our streets with large truck traffic, or our adjacent neighborhoods with noxious levels of noise, artificial light or odors. An industrial zoning category that also allowed less intense industrial uses such as contractor/service industry offices and yards, as well as flex and office space, may be desirable.

The Marshall Plan



The Marshall Plan



About 367 parcels

218 unique owners

THE MARSHALL CODE

The Marshall Code

The Process

Foundation for the Code

Form Based Code Work commenced in 2004 for Main Street Marshall – undertaken by Planning Consultant Milt Herd through a contract managed by the MBRA – result was a draft FBC for portions of Main Street and Salem Avenue

Marshall Service District Plan – Over 20 public meetings – result was 2011 Plan

Historic District Committee – Appointed by BOS worked through 2011 – 2012 with Kim Abe, the county's preservation planner – result was draft Historic Ordinance

The Marshall Code

The Process

Writing the Current Draft Marshall Code

2015

- County staff team took prior work and, with consultant Milt Herd, developed initial draft
- Steering committee of Marshall folks that had been involved in the Comprehensive Plan effort, the FBC effort and/or the Historic District effort provided feedback and guidance on staff draft.
- Reached out to some property owners to test the draft Code

2016

- Initial draft completed by staff in March 2016
- Nine public meetings held in Marshall on the Code from March through July
- Letters sent to affected property owners
- Staff held office hours in Marshall every week in the late afternoon/evening
- Code significantly revised based on input; 2nd Draft released October
- Two additional public meetings in Marshall to go over changes

2017

- Additional Minor changes incorporated based on October meetings
- 3rd Draft released February

PART 1: The Zoning

The Marshall Code: Zoning

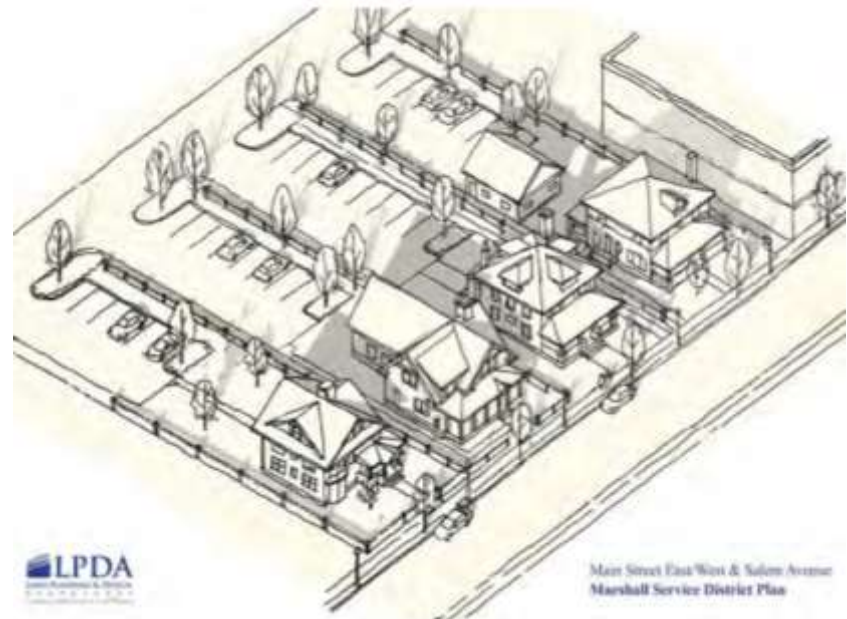
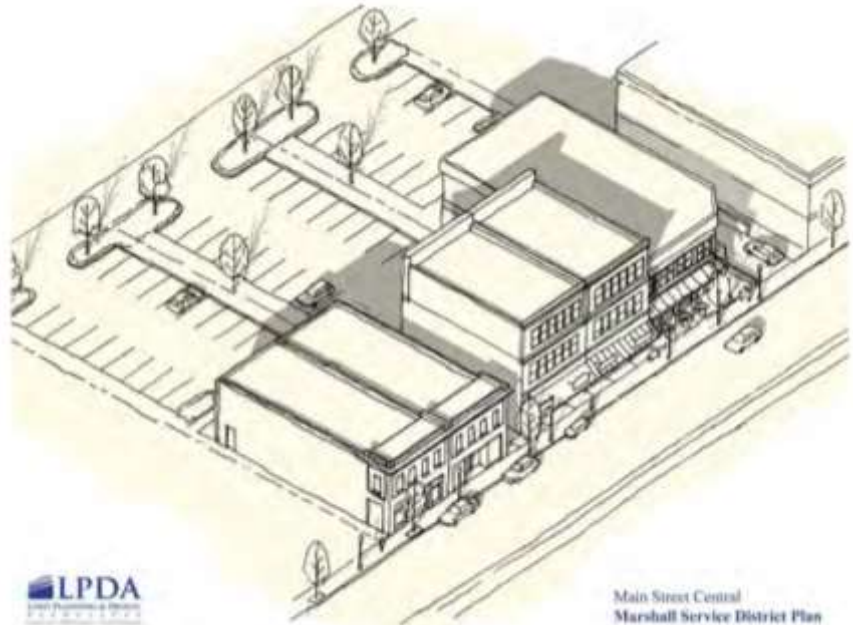
Zoning Approach: Form Based Code

A **form-based code** is a land development regulation that fosters predictable built results and a high-quality public realm by using physical **form** (rather than separation of uses) as the organizing principle for the **code**. A **form-based code** is a regulation, not a mere guideline, adopted into city, town, or county law.

Definition from Form Based Code Institute

The Marshall Plan

A form-based code is effective only if it implements a community's vision for its future.

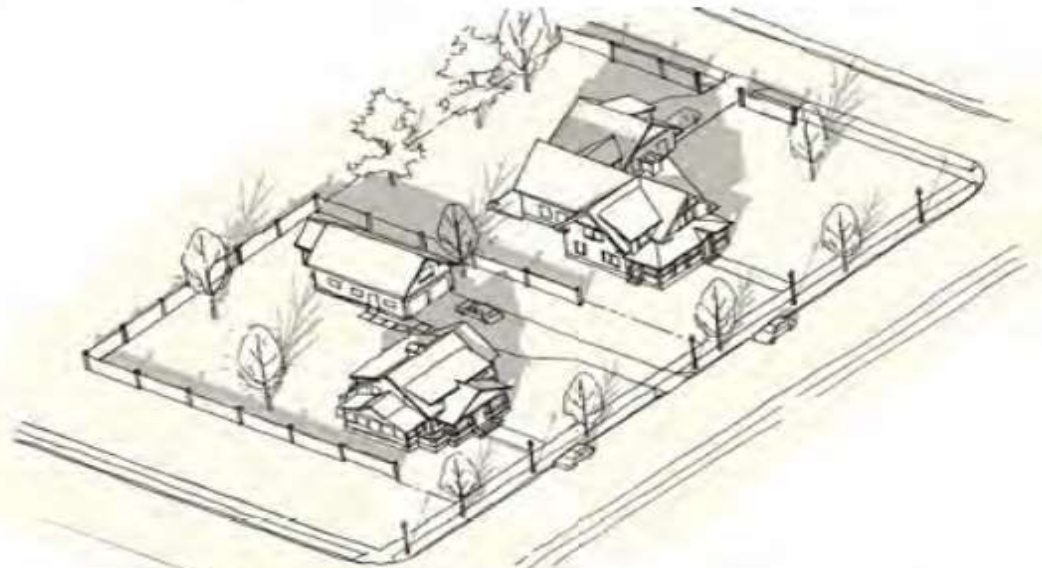


The Marshall Plan

A form-based code is effective only if it implements a community's vision for its future.



Traditional Neighborhood Development
Marshall Service District Plan



Traditional Neighborhood Development - Large Lot
Marshall Service District Plan

The Marshall Plan

A form-based code is effective only if it implements a community's vision for its future.



The Marshall Code: Zoning

Zoning Approach: Form Based Code

Five Main Elements of Form-Based Codes

1. Regulating Plan

A plan or map of the regulated area designating the locations where different building form standards apply.



2. Public Standards

Specifies elements in the public realm: sidewalk, travel lanes, on-street parking, street trees and furniture, etc.



3. Building Standards

Regulations controlling the features, configurations, and functions of buildings that define and shape the public realm.



4. Administration

A clearly defined and streamlined application and project review process.



5. Definitions

A glossary to ensure the precise use of technical terms.



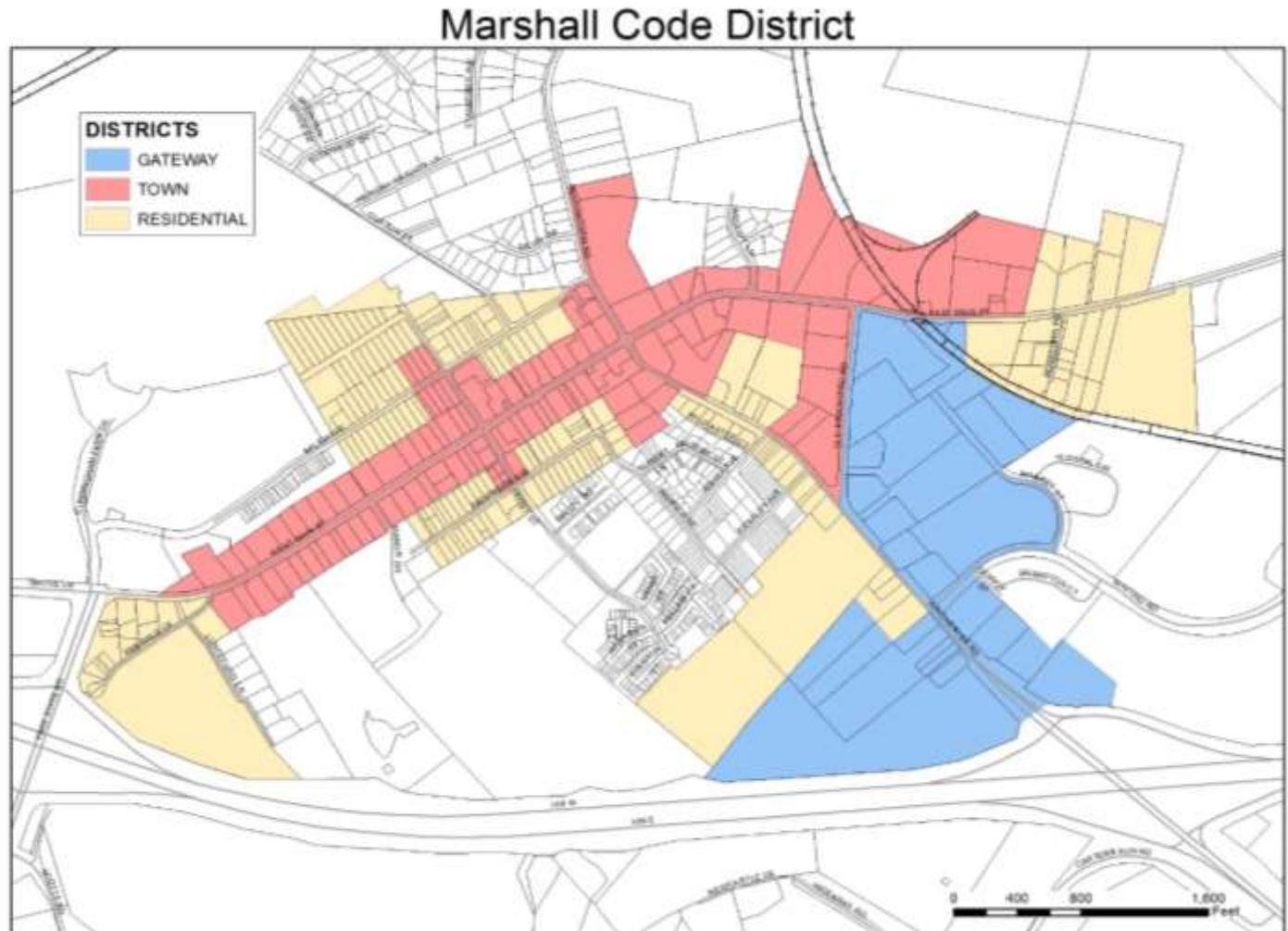
Information from Form Based Code Institute

The Marshall Code: Zoning

Zoning Approach: Form Based Code

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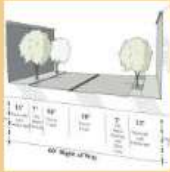


The Marshall Code: Zoning

Zoning Approach: Form Based Code

2. Public Standards

Specifies elements in the public realm: sidewalk, travel lanes, on-street parking, street trees and furniture, etc.



The concepts of “urban form” and “the public realm,” central to form-based-codes, are absent from the conventional zoning vocabulary. Conventional zoning has focused on privately owned land and ignored the “public realm” —that part of a town or city that belongs to all of us.

Think about the ways in which buildings interact with streets and sidewalks to shape public space and make it feel either inviting or forbidding

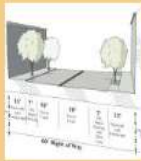
- How tall are the buildings and how close are they to the sidewalk?
- How wide are the sidewalks?
- Do the building facades have doors and windows along the sidewalk?
- Are there street trees?
- How many lanes of traffic are there and how wide are they?
- Is there an interconnected network of streets and blocks?
- Are the blocks short or long?
- Are there alleys and courtyards?
- Where is the parking?
- Are there civic buildings?
- What about special public spaces, such as greens, squares and plazas?
- Is it just as easy to walk around the area as to drive?
- Does it feel safe to walk or are the cars going too fast?

The Marshall Code: Zoning

Zoning Approach: Form Based Code

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Specifies elements in the public realm: sidewalk, travel lanes, on-street parking, street trees and furniture, etc.

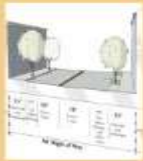


The Marshall Code: Zoning

Zoning Approach: Form Based Code

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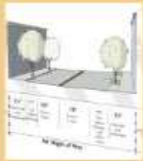


The Marshall Code: Zoning

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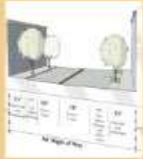


The Marshall Code: Zoning

Zoning Approach: Form Based Code

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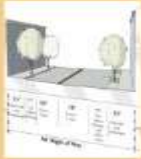


The Marshall Code: Zoning

Zoning Approach: Form Based Code

2. Public Standards

Specifies
elements in
the public



realm: sidewalk, travel
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furniture, etc.

Street and Alley Layout Requirements

Streetscape Requirements

Access Requirements

Open Space Requirements

Street connectivity/limit on dead-end streets

Narrowest streets acceptable to VDOT

Parking on both sides of the street

Sidewalks on both sides of the street

Street trees on both sides of the street, located between sidewalk and curb

Street lighting

Limited number/size of curb-cuts

Pocket Park or Public Plaza Requirement instead of % of site

Within walking distance

Include landscaping, seating.

The Marshall Code: Zoning

Zoning Approach: Form Based Code

3. Building Standards

Regulations controlling the features, configurations, and functions of buildings that define and shape the public realm.



Lot Setback/Build-To Lines

Lot Access

Building Massing

Parking-Location on Lot

Special Lay-out Standards

Build-to Line creates a maximum setback

Minimum side yards

Access from side or rear alley where available

Garages setback from front of building face

Buildings/entrances facing streets

Minimum windows in front façade (but not for residential)

Min/Max Height and Stories

Special “lay-out” standards for non-pedestrian oriented uses

The Marshall Code: Zoning

Zoning Approach: Form Based Code

3. Building Standards

Regulations controlling the features, configurations, and functions of buildings that define and shape the public realm.



Conventional Zoning

Use/Density

Management

Form

Form-Based Codes

Form

Management

Use/
Density

The Marshall Code: Zoning

Zoning Approach: Form Based Code

3. Building Standards

Regulations controlling the features, configurations, and functions of buildings that define and shape the public realm.



Put simply, a form-based code is a way to regulate development that controls building form first and building use second ...

2-7.1 Allowed Uses by Neighborhood District					
Use Category	Marshall – Town		Marshall – Gateway	Marshall – Residential	Standards (Section)
	1 st Story Street Frontage on Main Between Manor & Winchester	Other Locations			
Residential					
Dwelling, Single Family Detached	PH	P		P	Cluster 2-7.3
Dwelling, Single Family Attached		P	SE	P cluster only	Cluster 2-7.3
Multifamily, in Building w/Commercial Frontage		P	P		
Multifamily, in Building w/o Commercial Frontage	PH/SE	PH/SE	SE		
Accessory Dwelling Unit (w/Single Family Detached Only)		P		P	2-7.3(B)
Government, Institutional, Public Assembly					
Assisted Living Facility and Nursing Home	SE	SE	SE	SE	
Day-Care/Pre-School	P	P	P	SP	
Family Day Homes		A/SP		A/SP	2-7.3(C)
Government Facilities, County	P	P	P	P	
Meeting Facilities, including Places of Worship	P	P	P	SP	
Museum	P	P	P		
Post Office	P	P	P		
Public Parking	SE	SE	SE	SE	2-7.3(D)
Public or Private Schools	SE	SE	P	SE	
Business					
Artisan Workshop or Studio w/Sales	P	P	P		
Artisan Workshop or Studio w/o Sales	PH	P	P		
Auto Repair Shop	P	P	P		2-7.3(E)
Bed & Breakfast, Inn, Hotel & other Short-Term Rentals	P	P	P	SP	2-7.3(F)
Bank	P	P	P		
Business Services	P	P	P		
Cottage Industries		P	P		
Drive-Through	SE	SE	SE		
Eating Place	P	P	P		
Farm Equipment Sales	P	P	P		
Funeral Home	P	P	P		
Gas Station	P	P	P		2-7.3(H)
Indoor Recreation, including Gym and Sports/Activity Center	P	P	P		
Indoor Technical Schools	P	P	P		
Medical Services	P	P	P		
Office – Business/Professional/Contractor	P	P	P	SP Max 6 employees	
Personal Services	P	P	P		
Retail Sales	P	P	P		
Storage Area		P	P		2-7.3(J)
Theater	P	P	P		
Veterinary Clinic & Pet Grooming	P	P	P		
Transportation, Communication, Utilities					
Telecommunication Facilities		P/A/SE	P/A/SE	P/A/SE	Article 11
Utilities, Entirely Below Ground		P	P	P	
Utilities, Any Portion Above Ground		SE	SE	SE	
Temporary Uses					
Construction & Rental/Sales Offices/Trailers	A	A	A	A	
Temporary Events	A	A	A	SP	2-7.3(K)
Existing Uses					
Any use legally existing as of the date of adoption of this Marshall Code shall also be considered a Permitted (P) use. Such use may be expanded within the existing occupied lot(s), including additional structures, provided expansion increases conformance with the Marshall Code requirements other than use. To the extent the non-conforming provisions of Article 10 of the Zoning Ordinance provide additional flexibility to existing uses, they shall also apply.					
KEY					
P	Permitted Use	SP	Special Permit Required		
PH	Permitted Use only in Contributing Structure	SE	Special Exception Required		
A	Administrative Permit Required	If Blank, Use Not Allowed (Uses not listed also not allowed)			

The Marshall Code: Zoning

Zoning Approach: Form Based Code

4. Administration

A clearly defined and streamlined application and project review process.



Most Uses Now By-Right

Business					
Artisan Workshop or Studio w/Sales	P	P	P		
Artisan Workshop or Studio w/o Sales	PH	P	P		
Auto Repair Shop	P	P	P		
Bed & Breakfast, Inn, Hotel & other Short-Term Rentals	P	P	P	SP	
Bank	P	P	P		
Business Services	P	P	P		
Cottage Industries		P	P		
Drive-Through	SE	SE	SE		
Eating Place	P	P	P		
Farm Equipment Sales	P	P	P		
Funeral Home	P	P	P		
Gas Station	P	P	P		
Indoor Recreation, including Gym and Sports/Activity Center	P	P	P		
Indoor Technical Schools	P	P	P		
Medical Services	P	P	P		
Office – Business/Professional/Contractor	P	P	P	SP Max 5 employees	
Personal Services	P	P	P		
Retail Sales	P	P	P		
Storage Area		P	P		
Theater	P	P	P		

Site Plan process does not change, but the trigger for a site plan changes

- Changes in use no longer require site plan approval
- Site Plan only triggers if Land Disturbing Permit triggers

The Marshall Code: Zoning

Zoning Approach: Form Based Code

5. Definitions

A glossary
to ensure
the precise
use of technical terms.

Building Elements	
Encroachments	
Front, Area E, D, F	To R100
Front, Area V, M	10' Setback
Front, recessed	5'
Side	5'
Notes	
See window, balcony, stoop and deck encroachment areas.	

SECTION 4: DEFINITIONS

The definitions set forth in this section apply only to the properties within the boundary of the Marshall Code. If these definitions conflict with the definitions in Article 15 in any way, these definitions shall prevail. Definitions in Article 15 shall apply only when a definition is not provided herein.

A Accessory Dwelling Unit. A separate, complete housekeeping unit with a separate entrance, kitchen, sleeping area and full bathroom facilities, whether within or attached to a single family dwelling or freestanding on the same lot as the single family dwelling.

Addition. The enlargement of a structure accomplished by appending a new improvement.

Alley. A strip of land, whether public or private, intended for vehicular traffic designed to give access to the side or rear of properties whose principal frontage is on a street. An **Alley** is not considered a street.

Architectural Features. Exterior building elements intended to provide ornamentation to the building massing, including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

Artisan Workshop and Studio. An establishment for the preparation, display and sale of crafted artwork, jewelry, furniture, sculpture, pottery, leather-craft, hand-woven articles, photographs, paintings and other articles of artistic quality or handmade workmanship.

Assisted Living Facility. A non-medical residential facility licensed by the Virginia Department of Social Services that provides 24 hour non-medical care and assistance to adults who are aged, infirmed or disabled

Auction. A type of sales facility where individual items or lots of items are individually offered by sale to an audience of prospective purchasers and are sold to the highest bidder. For purposes of this Ordinance, an auction shall not include auctions selling wholesale lots or selling outdoors.

Auto Repair Shop. A building or land utilized for the repair and maintenance of automobiles, motorcycles, trailers or similar vehicles but not including heavy trucks or equipment. **Auto Repair Shop** shall include body work and painting. Automated Car Washes, Towing & Impoundment are authorized accessory uses at an **Auto Repair Shop**.

Average Finished Grade. A reference plane representing the average elevation of finished ground level adjoining the building or structure at all exterior walls.

B Bank. Any building or portion of building for the custody, loan, or exchange of money; for the transmission of credit and for facilitating the transmission of funds. Does not include check-cashing stores.

Bed & Breakfast. The use of a residential dwelling for commercial lodging purposes, with up to four bedrooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests.

Block. Land surrounded on all sides by streets or a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development.

Block Face. Perimeter edge of a block.

Block Length. The distance as measured along rear property lines between intersecting streets.

Build To Line. A line established a certain distance from the front property line along which the front of the

PART 2: The Historic & Corridor District

Next Steps?

2nd Work Session – PC Meeting March 16th

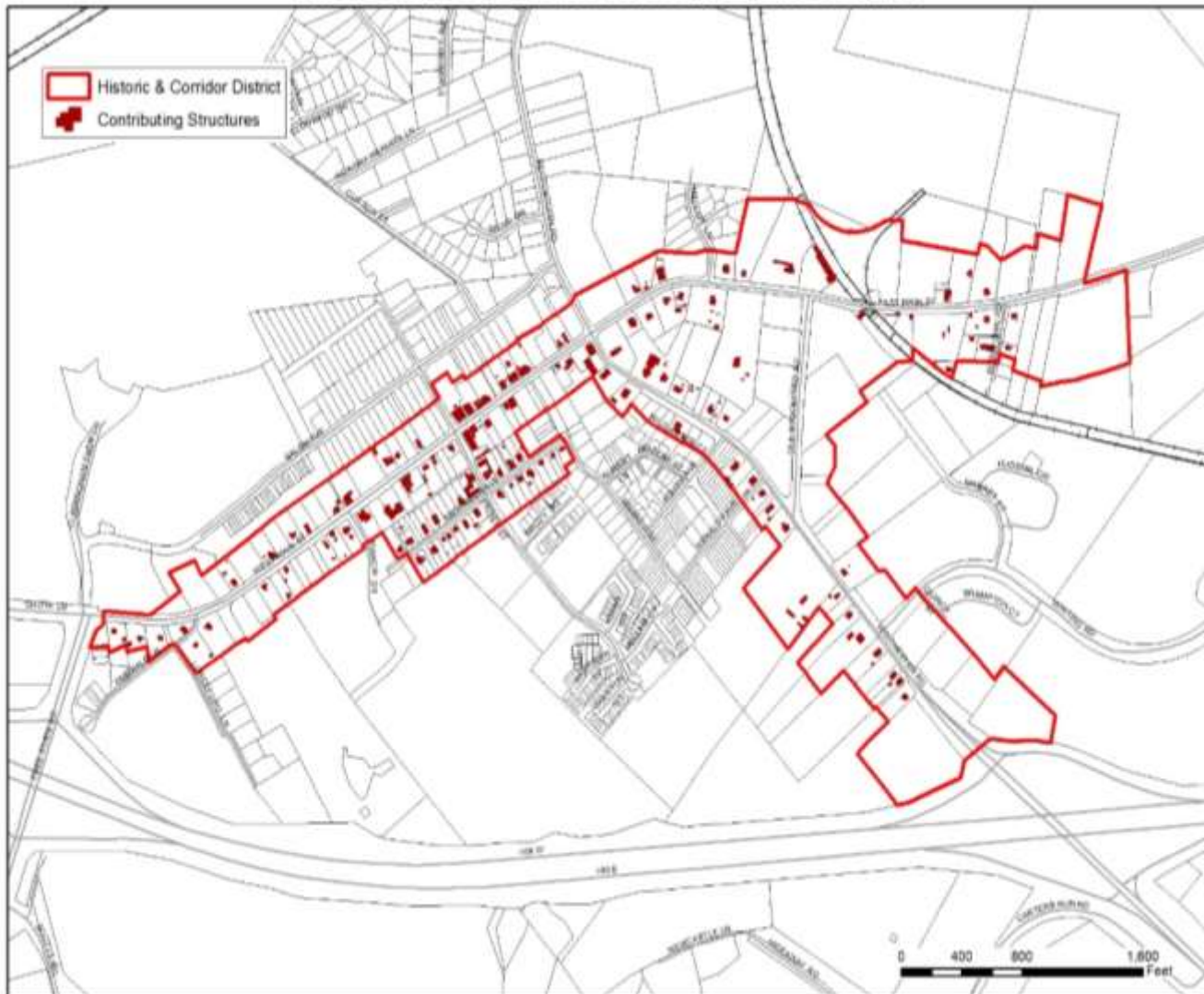
Public Meeting in Marshall for PC to hear comments?
(Wednesday March 22 or 29th, or April 12?)

3rd Work Session & Public Hearing – April 20th

Public Hearing & Action – May 18th

The Marshall Code

Historic & Corridor District



The Marshall Code

Historic & Corridor District

Historic “Light”

Does regulate visible new buildings, additions, demolition of contributing structures and major exterior alterations.

Does not regulate replacement of windows, doors or trim, repairs, reroofing.

Does not regulate signs.

Does not require historic materials

Does not require a building to have a particular style

Does not regulate colors

The Marshall Code

Historic & Corridor District

Incentives

Marshall Review Board